

# EXHIBIT A

Tracy Donovan  
318 12th Avenue  
Scranton, PA 18504

Plaintiff

v.

NRA Group, LLC d/b/a National Recovery  
Agency  
c/o CT Corporation System  
155 Federal Street, Suite 700  
Boston, MA 02210

Defendant

Court of Common Pleas of Lackawanna  
County - Civil Action

Case No.

16-CV-1015

Jury Trial Demanded

**NOTICE**

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claim set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED RATE OR NO FEE.

Northeastern Pennsylvania Legal Services  
33 North Main Street, Suite 200  
Pittston, PA 18640  
Telephone (570) 299-4100

JUDICIAL RECORDS  
CIVIL DIVISION  
2016 FEB 24 P 1:15  
JAMES B. KELLY  
LACKAWANNA COUNTY

Tracy Donovan, v. NRA Group, LLC d/b/a National Recovery Agency, Defendant	Plaintiff    Defendant	Court of Common Pleas of Lackawanna County – Civil Action  Case No. <u>16-CV-1615</u>  Jury Trial Demanded
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**COMPLAINT**

**I. Introduction**

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("the Act") which prohibits debt collectors from engaging in abusive, unfair, and deceptive practices.

**II. Jurisdiction**

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this district is proper in that Defendant transacts business here and the conduct complained of is alleged to have occurred here.

**III. Parties**

4. Plaintiff, Tracy Donovan, is a natural person residing at 318 12th Avenue, Scranton, PA 18504.

5. Defendant, NRA Group, LLC d/b/a National Recovery Agency, ("NRA") is a limited liability corporation engaged in the business of collecting debts in this state with a registered agent located at c/o CT Corporation System, 155 Federal Street, Suite 700, Boston, MA 02210 and is a "debt collector" as defined by the Act, 15 U.S.C. § 1692a(6).

#### **IV. Statement of Claim**

6. Within the past year NRA was attempting to collect from Plaintiff an alleged account that was identified by a number ending in 783R ("the Account").

7. The Account is a "debt" as that term is defined by the Act, 15 U.S.C. § 1692a(5).

8. NRA regularly uses the mails to attempt to collect debts asserted to be due another.

9. On or about March 3, 2015, NRA caused to be mailed a letter addressed to Plaintiff.

10. A true and correct copy of the letter is attached as Exhibit A. (Redacted to ensure financial privacy.)

11. The letter was an attempt to collect the Account.

12. The letter was mailed in an envelope. The return mailing address for the letter was not physically printed on the outside of the envelope, and instead was visible through a glassine window and appeared as follows:

PO Box 67015  
Harrisburg, PA 17106-7015



(Redacted for financial privacy).

13. The partially redacted area in the previous paragraph covers a barcode.

14. The barcode also contains the account number for the Account.

15. The inclusion of an account number in a barcode that is visible on the envelope for a collection letter violates the Act. *Styer v. Professional Medical Management, Inc.* Docket 3:14-cv-02304-WJN (M.D. Pa. July 16, 2015).

16. Barcodes can be easily deciphered by consumers using widely-available free applications for smartphones. Many consumers have these applications already installed on their smartphones to enable them to access QR codes. A QR code is a specific type of barcode that is used in marketing literature by many companies to enable consumers to direct their smartphone to a website merely by scanning the code. Thus, many consumers have installed barcode readers on their phones to take advantage of the convenience offered by scanning QR codes.

17. This account number that appeared in the barcode below the return address was a number that was associated solely with the Account, and was therefore personal identifying information related to Plaintiff.

18. This account number was associated solely with the Account, and was therefore personal identifying information related to Plaintiff.

19. By disclosing Plaintiff's sensitive financial information on an envelope sent through the U.S. mail, Defendant increased the risk that Plaintiff would be a victim of identity theft.

20. Defendant also violated 15 U.S.C. § 1692f(8) of the Act, which generally prohibits the use of "any language or symbol, other than the debt collector's address, on any envelope when communicating with a consumer by use of the mails . . . ."

21. Defendant violated the Act.

WHEREFORE, Plaintiff demands judgment against Defendant for damages, costs, attorney's fees, and such other and further relief as the Court deems just and proper.

Respectfully Submitted,



Carlo Sabatini

Bar Number PA 83831

Attorney for Plaintiff

Sabatini Law Firm, LLC

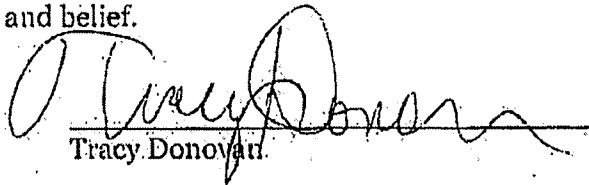
216 N. Blakely St.

Dunmore, PA 18512

Phone (570) 341-9000

**Verification by Plaintiff Tracy Donovan**

I affirm that the averments of fact contained in this pleading are true upon my personal knowledge or information and belief.



Tracy Donovan

## **Exhibit A**

**(Letter dated March 3, 2015)**

**NATIONAL RECOVERY AGENCY**2491 Paxton Street, Harrisburg PA 17111  
Toll Free: (800) 360-4319Tracy Ann Donovan  
318 12th Ave  
Scranton, PA 18504-2509PIN #: 2869  
NRA ID: 7N3R  
TOTAL DUE: \$68.64

Dear Tracy Ann Donovan,

Your account has been forwarded to this office for collections.

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**


Below is a listing of accounts included in the total amount due listed above:


ORIGINAL CREDITOR	ACCOUNT #	DATE	AMOUNT	INTEREST	COSTS	AMT OWED
PHYSICIANS HEALTH ALLIANCE	0771	03/14/14	14.08	.00	.00	14.08
PHYSICIANS HEALTH ALLIANCE	0763	03/20/14	54.56	.00	.00	54.56


Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt, or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request of this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Unless you dispute this debt, your payment should be made directly to this office. Please choose one of the following methods of payment. Please note that a service charge of twenty dollars will be added to all checks returned to us by your bank as permitted by law.

**NOTICE: SEE REVERSE SIDE FOR IMPORTANT NOTICES AND CONSUMER RIGHTS****PAYMENT OPTIONS**

 **Telephone Hours:**  
Monday - Thursday 8:00 A.M. to 8:30 P.M.  
Friday 8:00 A.M. to 5:00 P.M.  
Saturday 8:00 A.M. to 12:30 P.M.  
Eastern Standard Time  
(800) 360-4319

 **Send Mail To:**  
NATIONAL RECOVERY AGENCY  
PO BOX 67015  
HARRISBURG, PA 17106-7015

 **Via Internet:**  
Pay online by credit card  
or check at  
[www.nationalrecovery.com](http://www.nationalrecovery.com)


Calls to or from NATIONAL RECOVERY AGENCY may be recorded or monitored.

To ensure proper credit to your account please detach bottom portion and return it with payment in the enclosed envelope.

PO Box 67015  
Harrisburg, PA 17106-7015Toll Free: (800) 360-4319  
Statement Date: March 3, 2015Tracy Ann Donovan  
318 12th Ave  
Scranton, PA 18504-2509

IF PAYING BY CREDIT CARD, FILL OUT BELOW		
<div style="display: flex; justify-content: space-around;"> <div>VISA <input type="checkbox"/></div> <div>MasterCard <input type="checkbox"/></div> </div>		
CARD NUMBER	SECURITY/CV2 CODE	
SIGNATURE	EXP. DATE	
TOTAL DUE \$68.64	\$ PAYMENT AMOUNT	NRA ID# 83R
For Online Payments visit <a href="http://www.nationalrecovery.com">www.nationalrecovery.com</a>		

MAKE PAYMENT AND REMIT TO:

  
NATIONAL RECOVERY AGENCY  
PO Box 67015  
Harrisburg, PA 17106-7015

Self-Addressed stamped envelope is required for return receipts.

018 201173527551 13211 000366V0015



**CALIFORNIA RESIDENTS**

The state Rosenthal Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or [www.ftc.gov](http://www.ftc.gov). Non Profit Counseling services may be available in your area.

**CALIFORNIA AND UTAH RESIDENTS:**

As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations. But we will not submit a negative credit report to a credit reporting agency about this credit obligation until the expiration of the time period described in the first notice you received from us.

**COLORADO RESIDENTS**

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE [WWW.COLORADOATTORNEYGENERAL.GOV/CA](http://WWW.COLORADOATTORNEYGENERAL.GOV/CA). A CONSUMER HAS THE RIGHT TO REQUEST IN WRITING THAT A DEBT COLLECTOR OR COLLECTION AGENCY CEASE FURTHER COMMUNICATION WITH THE CONSUMER. A WRITTEN REQUEST TO CEASE COMMUNICATION WILL NOT PROHIBIT THE DEBT COLLECTOR OR COLLECTION AGENCY FROM TAKING ANY OTHER ACTION AUTHORIZED BY LAW TO COLLECT THE DEBT. YOU MAY CONTACT OUR OFFICE AT: ASSOCIATED COLLECTION AGENCIES INC., 27 NORTH WILLERUP, SUITE B, MONTROSE, CO 81401 OR BY TELEPHONE AT 970-249-7514.

**MASSACHUSETTS RESIDENTS:**

MASSACHUSETTS RESIDENTS MAY CONTACT OUR OFFICE BY TELEPHONE AT THE NUMBER, OFFICE HOURS, AND ADDRESS LISTED ON THE FRONT OF THIS NOTICE OR TO 155 FEDERAL STREET, SUITE 700, BOSTON, MA 02110.

**NOTICE OF IMPORTANT RIGHTS**

YOU HAVE THE RIGHT TO MAKE A WRITTEN OR ORAL REQUEST THAT TELEPHONE CALLS REGARDING YOUR DEBT NOT BE MADE TO YOU AT YOUR PLACE OF EMPLOYMENT. ANY SUCH ORAL REQUEST WILL BE VALID FOR ONLY TEN DAYS UNLESS YOU PROVIDE WRITTEN CONFIRMATION OF THE REQUEST POSTMARKED OR DELIVERED WITHIN SEVEN DAYS OF SUCH REQUEST. YOU MAY TERMINATE THIS REQUEST BY WRITING TO THE COLLECTION AGENCY.

**MINNESOTA MEDICAL PATIENTS ONLY:**

This collection agency is licensed by the Minnesota Department of Commerce. If you feel that your concerns have not been addressed, please contact National Recovery Agency and allow us the opportunity to try and address your concerns. Or, you have the option to address any concerns with the Minnesota Attorney General's Office, which can be reached at 651-296-3353 or 1-800-657-3787.

**NEVADA HOSPITAL PATIENTS:**

If the debtor pays or agrees to pay the debt or any portion of the debt, the payment or agreement to pay may be construed as: (1) An acknowledgement of the debt by the debtor, and (2) A waiver by the debtor of any applicable statute of limitations set forth in NRS 11.190 that otherwise precludes the collection of the debt. If the debtor does not understand or has questions concerning his legal rights or obligations relating to the debt, the debtor should seek legal advice. As used in this section, "hospital" has the meaning ascribed to it in NRA 449.012.

**NEW YORK CITY RESIDENTS:**

New York City Department of Consumer Affairs License number: 1239906

**NORTH CAROLINA RESIDENTS:**

NC Permit Number: 4485

**TENNESSEE RESIDENTS:**

This collection agency is licensed by the collection service board of TN Department of Commerce and Insurance, permit number 812.

MEDICAL PATIENTS PLEASE COMPLETE THE INFORMATION BELOW			
OR			
SEND FRONT/BACK COPY OF INSURANCE CARD			
Patient Name:		Date of Birth:	
Guarantor's Name:		Date of Birth:	
Address:		Primary Insurance	
City: _____ State: _____ Zip: _____		Co: _____	
Phone #: _____		Policy #: _____ Group #: _____	
		Address: _____	
		City: _____ State: _____ Zip: _____	
		Effective Date: _____	
Policy Holder Name:		Secondary Insurance	
Address: _____		Co: _____	
City: _____ State: _____ Zip: _____		Policy #: _____ Group #: _____	
Phone #: _____		Address: _____	
		City: _____ State: _____ Zip: _____	
		Effective Date: _____	